Commonwealth of Kentucky
Natural Resources and Environmental Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

AIR QUALITY PERMIT

Permittee Name: **CTA Acoustics, Inc.**
Mailing Address: **Robert E. Cox Road, Corbin, Kentucky 40701**

is authorized to operate an Acoustical and Thermal Insulation Products Manufacturing Plant

Source Name:	**CTA Acoustics, Inc.**
Mailing Address:	**Robert E. Cox Road** **Corbin, Kentucky 40701**
Source Location:	**Corbin, Kentucky**
Permit Type:	**Federally-Enforceable**
Review Type:	**Title V**
Permit Number:	**V-98-004(Revision 3)**
Log Number:	**G376**
Application Complete Date:	**December 15, 1999**
KYEIS ID #:	**101-2120-0036**
AFS Plant ID #:	**21-125-00036**
FINDS Number:	
SIC Code:	**3714**
Region:	**Appalachian**
County:	**Laurel**
Issuance Date:	**February 23, 2000**
Expiration Date:	**April 20, 2003**

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John E. Hornback, Director
Division for Air Quality

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SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application which was determined to be administratively and technically complete on October 13, 1997, the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This draft permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in the Regulation 401 KAR 50:035, Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

This permit contains provisions which require that specific test methods, monitoring or record - keeping be used as a demonstration of compliance with permit limits. However, these provisions do not shield the source from violations of the applicable requirements being established and documented through other evidence, nor does it relieve the source from its obligation to comply with the underlying emission limits or other applicable requirements being monitored.

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Mat Preparation Line 401

01 (1) Mixing and Blending (Lines 401 & 402)
The maximum usage rate of the fiberglass shall not exceed 4219.00 lbs/hour.
Control: Baghouse

02 (2) Forming Zone 1
The maximum usage rate of the fiberglass mat shall not exceed 2530.00 lbs/hour.
Control: Baghouse

03 (3) Forming Zone 2
The maximum usage rate of the fiberglass mat shall not exceed 2530.00 lbs/hour.
Control: Baghouse

Mat Preparation Line 402

08 (8) Forming Zone
The maximum usage rate of the fiberglass mat shall not exceed 2536.00 lbs/hour.
Control: Baghouse

Off - Line Coater Line 416

22 (22) Off Line Mat Coating
The maximum usage rates of CTA 311 Top Coat, CTA 311 Edge Coating, and Fiberglass and/or Cotton Base Mat shall not exceed 697.00 lbs/hour, 49.10 lbs/hour, and 5900.00 lbs/hour, respectively.

23 (23) Off Line Mat Coating
The maximum usage rates of CTA 311 Top Coat, CTA 311 Edge Coating, and Fiberglass and/or Cotton Base Mat shall not exceed 697.00 lbs/hour, 49.10 lbs/hour, and 5900.00 lbs/hour, respectively.

(-) Oven Heaters

Scrap and Trim Recycling Line 413

39 (39) Scrap and Trim Processing # 3
The maximum usage rate of the fiberglass or mat shall not exceed 600.00 lbs/hour.
Control: Baghouse

40 (40) Scrap and Trim Processing # 1
The maximum usage rate of the fiberglass or mat shall not exceed 600.00 lbs/hour.
Control: Baghouse

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE

REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

41 (41) Scrap and Trim Processing # 2
The maximum usage rate of the fiberglass or mat shall not exceed 600.00 lbs/hour.
Control: Baghouse

63 (62) Spray Booth
The maximum usage rate of the fiberglass mat shall not exceed 1384.00 lbs/hour.
Control: Baghouse

Molding and Trim Lines Department 447 (New)

Department 447- Fiberglass/Phenolic Resin Binder Production
21 New Mold Lines (Molds 13 thru 33)
5,660 lbs/hour Maximum Phenolic Resin/Fiberglass production for all 33 lines (12 Existing Lines, 21 New Lines)
75% Fiberglass/25% Phenolic Resin production for 21 mold lines = 3602 lbs/hour

Line 418, Foam Line

42 (42) Foam Insulation Manufacturing Line 418-1
66.83 lbs/hour maximum

(-) Foam Insulation Manufacturing Line 418-3
120.33 lbs/hour maximum

APPLICABLE REGULATIONS: 401 KAR 59:010, New process operations

Emission points: 1, 2, 3, 8, 22, 23, 39, 40, 41, 42, 63,

1. Operating Limitations:

The maximum hourly processing rate at each affected facility shall not exceed the rate specified above.

Compliance Demonstration Method:

Compliance with the fiberglass hourly output limit shall be monitored each month by comparing the allowable hourly output rate to the total fiberglass output each month divided by the hours of operation each month.

2. Emission Limitations:

Visible emissions into the open air from a control device or stack associated with any affected facility shall not equal or exceed 20% opacity as required by Regulation 401 KAR 59:010, Section 3(1) (a).

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE

REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Pursuant to Regulation 401 KAR 59:010, Section 3 (2), particulate emissions into the open air shall not exceed those limits specified in Appendix A to this regulation.

3602 x 0.25 = 900 lbs/hour Maximum Resin usage
Resin Contains 0.75% Ammonia, 4.96% Phenol, and 0.20% Formaldehyde
900 x 0.0075 = 6.75 lbs/hour uncontrolled Ammonia emissions
900 x 0.0496 = 44.64 lbs/hour uncontrolled Phenol emissions
900 x 0.002 = 1.80 lbs/hour uncontrolled Formaldehyde emissions

All affected facilities emissions under Department 447 shall be controlled by new line 405 incinerator.

Compliance Demonstration Method:

Opacity shall be monitored visually on a daily basis and once annually using EPA Reference Method 9.

See 4. Specific Monitoring Requirements:

Particulate emission rate in (lbs/hour) = monthly production rate x emission factor/(hours of operation per month) x (100- control device efficiency)

3. Testing Requirements:

None

4. Specific Monitoring Requirements:

CTA Acoustics, Inc. shall monitor the phenolic resin fiberglass insulation mat production per month.
Visible emissions from each affected facility shall be monitored once annually using EPA Reference Method 9.

5. Specific Record Keeping Requirements:

Retain records of the following for five years as required by Regulation 401 KAR 50:035, Section 7(1)(d)(2):
Critera pollutant emissions;
Operating hours;
Fiberglass insulation mat production.

6. Specific Reporting Requirements:

None, See General Condition F.5.

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

7. Specific Control Equipment Operating Conditions:

All control devices shall be properly maintained, kept in good operating condition, and used in conjunction with the associated processes in accordance with the manufacturer's specifications.

Maintain on site daily log of the pressure drop across each baghouse, and ensure it remains within the range recommended by the manufacturer and/or standard operating practices.

Install temperature monitoring devices in accordance with manufacturer's recommendation within six months of the issuance date of this permit and maintain the combustion chamber temperature of incinerators and afterburners at the design temperature. The VOC destruction efficiency of thermal incinerators and afterburners shall be at least 90%.

8. Alternate Operating Scenarios:

NA

9. Compliance Schedule:

NA

10. Compliance Certification Requirements:

NA

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Mat Preparation Line 401

04 (4) Curing Oven
The maximum usage rate of the phenolic resin shall not exceed 416.80 lbs/hour.
Control: Afterburner

(-) Oven Heaters

(-) Afterburner

05 (5) Oven Charge Vestibule
The maximum usage rate of the phenolic resin and fiberglass mat shall not exceed 2530.00 lbs/hour.

06 (6) Oven Discharge Vestibule
The maximum usage rate of the phenolic resin and fiberglass mat shall not exceed 2530.00 lbs/hour.
Control: None

07 (7) Mat Cooling Chamber
The maximum usage rate of the phenolic resin and fiberglass mat shall not exceed 2530.00 lbs/hour.
Control: None

Mat Preparation Line 402

09 (9) Curing Oven
The maximum usage rate of the phenolic resin shall not exceed 422.00 lbs/hour.
Control: Afterburner

(-) Oven Heaters

(-) Afterburner

10 (10) Oven Charge Vestibule
The maximum usage rate of the phenolic resin and fiberglass mat shall not exceed 2536.00 lbs/hour

11 (11) Oven Discharge Vestibule
The maximum usage rate of the phenolic resin and fiberglass mat shall not exceed 2536.00 lbs/hour
Control: None

12 (12) Mat Cooling Chamber
The maximum usage rate of the phenolic resin and fiberglass mat shall not exceed 2536.00 lbs/hour.
Control: None

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Mat Preparation Line 403

13 (13) Forming
The maximum usage rate of the fiberglass shall not exceed 2455.00 lbs/hour.
Control: Baghouse

14 (14) Curing Oven Incinerator
The maximum usage rate of the phenolic resin shall not exceed 631.60 lbs/hour.
Control: Afterburner

(-) Oven Heaters

(-) Afterburner

15 (15) Oven Charge Vestibule
The maximum usage rate of the phenolic resin and fiberglass mat shall not exceed 2455.00 lbs/hour.

16 (16) Oven Discharge Vestibule
The maximum usage rate of the phenolic resin and fiberglass mat shall not exceed 2455.00 lbs/hour.
Control: None

17 (17) Mat Cooling Chamber
The maximum usage rate of the fiberglass mat shall not exceed 2455.00 lbs/hour.

64 (63) Blending Mixer
The maximum usage rate of the fiberglass shall not exceed 1866.0 lbs/hour.
Control: Baghouse

Mat Preparation Line 405

18 (18) Mixing, Blending, and Forming
The maximum usage rate of the fiberglass mat shall not exceed 2526.00 lbs/hour.
Control: Baghouse

19 (19) Curing Oven
The maximum usage rate of the phenolic resin shall not exceed 631.40 lbs/hour.
Control: Afterburner

(-) Oven Heaters

(-) Afterburner

20 (20) Oven Charge & Discharge Vestibules
(20A) The maximum usage rate of the phenolic resin and fiberglass mat shall not exceed 2526.00 lbs/hour.

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

21 (21) Mat Cooling Chamber

The maximum usage rate of the phenolic resin and fiberglass mat shall not exceed 2526.00 lbs/hour.

Acrylic Spray Coating of Fiber Mats Line 431

24 (24) Acrylic Spray Cure Oven
The maximum usage rate of the fiberglass mat shall not exceed 1384.00 lbs/hour.
(-) Oven Heaters

25 (25) Oven Charge Vestibule
The maximum usage rate of the fiberglass mat shall not exceed 1384.00 lbs/hour.

26 (26) Oven Discharge Vestibule
The maximum usage rate of the fiberglass mat shall not exceed 1384.00 lbs/hour.
Control: None

27 (27) Mat Cooling Chamber
The maximum usage rate of the fiberglass mat shall not exceed 1384.00 lbs/hour.
Control: None

28 (28) Mat Cooling Chamber
The maximum usage rate of the fiberglass mat shall not exceed 1384.00 lbs/hour.
Control: None

29 (29) Mat Cooling Chamber
The maximum usage rate of the fiberglass mat shall not exceed 1384.00 lbs/hour.
Control: None

30 (30) Mat Cooling Chamber
The maximum usage rate of the fiberglass mat shall not exceed 1384.00 lbs/hour.
Control: None

Molding and Trim Lines Department 447 (Existing)

Department 447 (Molds 1-12)

Total Fiberglass/Phenolic Resin Production for 33 molding lines =5,660 lbs/hour Maximum Fiberglass/Phenolic Resin Production for 12 molding lines = 2058 lbs/hour

APPLICABLE REGULATION: 401 KAR 61:020, Existing process operations

Emission Points: 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 25, 26, 27, 28, 29, 30, 64.

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

1. Operating Limitations:

The maximum hourly processing rate at each affected facility shall not exceed the rate specified above.

Compliance Demonstration Method:

Compliance with the fiberglass mat hourly output production limit shall be monitored each month by comparing the allowable hourly output rate to the total fiberglass mat output each month divided by the hours of operation each month.

2. Emission Limitations:

Visible emissions into the open air from a control device or stack associated with any affected facility shall not equal or exceed 40% opacity as required by Regulation 401 KAR 61:020, Section 3(1)(a).

Pursuant to Regulation 401 KAR 61:020, Section 3(2), particulate emissions into the open air shall not exceed those limits specified in Appendix to this regulation.

2058 x 0.25 = 514.50 lbs/hour Maximum Resin usage
Resin Contains 0.75% Ammonia, 4.96% Phenol, and 0.20% Formaldehyde
514.5 x 0.0075 = 3.86 lbs/hour uncontrolled Ammonia emissions
514.5 x 0.0496 = 25.52 lbs/hour uncontrolled Phenol emissions
514.5 x 0.002 = 1.03 lbs/hour uncontrolled Formaldehyde emissions

All affected facilities emissions listed under Department 447 shall be controlled by a new line 405 incinerator.

Compliance Demonstration Method:

Opacity shall be monitored visually on a daily basis and once annually using Reference Method 9.
See 4. Specific Monitoring Requirements

Particulate emission rate in (lbs/hour) = monthly production rate x emission factor/(hours of operation per month) x (100- control device efficiency)

3. Testing Requirements:

None

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

4. Specific Monitoring Requirements:

CTA Acoustics, Inc. shall monitor the fiberglass insulation mat production per month. Visible emissions from each affected facility shall be monitored once annually using EPA Reference Method 9.

5. Specific Record Keeping Requirements:

Retain records of the following for five years as required by Regulation 401 KAR 50:035, Section 7(1)(d)(2):

Criteria pollutant emissions; Operating hours; and Fiberglass insultaion mat production.

6. Specific Reporting Requirements:

Maintain on site reports of monthly and 12-month totals of criteria pollutant emissions to ensure that they do not exceed the allowables established by Regulation 401 KAR 61:020.

7. Specific Control Equipment Operating Conditions:

All control devices shall be properly maintained, kept in good operating condition, and used in conjunction with the associated processes in accordance with the manufacturer's specifications.

Maintain on site daily log of the pressure drop across each baghouse, and ensure it remains within the range recommended by the manufacturer and/or standard operating practices.

Install temperature monitoring devices in accordance with manufacturer's recommendation within six months of the issuance date of this permit and maintain the combustion chamber temperature of incinerators and afterburners at the design temperature. The VOC destruction efficiency of thermal incinerators and afterburners shall be at least 90%.

8. Alternate Operating Scenarios:

NA

9. Compliance Schedule:

NA

10. Compliance Certification Requirements:

NA

SECTION C- INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to State Regulation 401 KAR 50:035, Permits, Section 5(4). The following are exempt from all permit requirements because the emissions are not subject to federally enforceable requirements or meet the requirements for insignificant activities pertaining to potential to emit. This list is not intended to be all inclusive, other activities may qualify as insignificant activities, provided they meet the criteria under 401 KAR 50:035, Section 5(4).

1. Gas fired space heaters or ovens rated at less than 1 million BTU per hours actual heat input that use natural gas.

2. Storage vessels containing inorganic aqueous liquids, except inorganic acids with boiling points below the maximum storage temperature at atmospheric pressure.

3. Machinery lubricants and waxes, including oils, greases, or other lubricants applied as temporary protective coatings.

4. Surface coating and printing applicators equipped with properly designed and operated particulate control devices, providing the applicators use less than five gallons per day (as verified by appropriate records) of air-dried coating materials.

5. Distillate oil-fired space heaters or ovens rated at less than 2 million BTU per hour actual heat input, provided the maximum sulfur content is less than 0.5 % by weight (as verified by appropriate records).

6. Equipment used for compression, molding and injection of plastics.

7. Direct-fired kilns for ceramic ware using natural or LP gas and having a rated capacity of less than 10 million BTU per hour actual heat input.

8. Wastewater treatment facilities used for domestic sewage only, excluding combustion or incineration equipment.

9. Paved and unpaved roads and parking lots with public access, providing potential to emit particulate matter is less than 5 tons per year.

10. Internal combustion engines using natural gas rated at 50 hp or less.

11 Indirect heat exchanger solely fired with natural gas with a rated heat input capacity less than 10 million BTU per hour.

12. Edge Coating Spray Booth.

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING

REQUIREMENTS

Particulate and visible opacity emissions, as measured by methods referenced in 401 KAR 50:015, Section 1, shall not exceed the respective limitations specified herein.

SECTION E - CONTROL EQUIPMENT CONDITIONS

1. Pursuant to 401 KAR 50:012, Section 1(1) and 401 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the cabinet which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

2. All fugitive emissions shall be controlled in accordance with Regulation 401 KAR 63:010.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. When continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
   a) Date, place as defined in this permit, and time of sampling or measurements.
   b) Analyses performance dates;
   c) Company or entity that performed analyses;
   d) Analytical techniques or methods used;
   e) Analyses results; and
   f) Operating conditions during time of sampling or measurement;

2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained at the source authorized by this permit for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality.

3. The permittee shall allow the Cabinet or authorized representatives to perform the following:
   a) Enter upon the premises where a source is located or emissions-related activity is conducted, or where records are kept;
   b) Have access to and copy, at reasonable times, any records required by the permit:
      i) During normal office hours, and
      ii) During periods of emergency when prompt access to records is essential to proper assessment by the Cabinet;
   c) Inspect, at reasonable times, any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit. Reasonable times shall include, but are not limited to the following:
      i) During all hours of operation at the source,
      ii) For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
      iii) During an emergency; and
   d) Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements. Reasonable times shall include, but are not limited to the following:
      i) During all hours of operation at the source,
      ii) For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
      iii) During an emergency.

4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

5. Summary reports of any monitoring required by this permit shall be reported to the Division's London Regional Office at least every six (6) months during the life of this permit, unless otherwise stated in this permit. The reports are due within 30 days after the end of each six month reporting period which commences on the initial issuance date of this permit. The permittee may shift to semi-annual reporting on a calendar year basis upon approval of the regional office. If the calendar year reporting is approved, the semi-annual reports are due January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to Section 6(1) of Regulation 401 KAR 50:035, Permits. All deviations from permit requirements shall be clearly identified in the reports.

6. In accordance with Regulation 401 KAR 50:055, Section 1, the owner or operator shall notify the Division for Air Quality's London Regional Office by telephone as promptly as possible any deviation from permit requirements, including those due to malfunctions, unplanned shutdowns, ensuing startups, or upset conditions. Pursuant to Regulation 401 KAR 50:035, Section 7(1)(e), the notification shall describe the probable cause of the deviations and corrective actions or preventive measures taken.

7. The permittee shall certify compliance with the terms and conditions contained in this permit, annually on the permit issuance anniversary date to the Division for Air Quality's London Regional Office and the U.S. EPA in accordance with the following requirements:
   a) Identification of each term or condition of the permit that is the basis of the certification;
   b) The compliance status regarding each term or condition of the permit;
   c) Whether compliance was continuous or intermittent; and
   d) The method used for determining the compliance status for the source, currently and over the reporting period, pursuant to 401 KAR 50:035, Section 7(1)(c),(d), and (e).
   e) Other facts the Division may require to determine the compliance status of the source; and
   f) The certification shall be postmarked by the thirtieth (30) day following the applicable permit issuance anniversary date, or by January 30th of each year if calendar year reporting is approved by the regional office.

8. In accordance with Regulation 401 KAR 50:035, Section 23, the permittee shall report all information necessary to determine its subject emissions.

SECTION G - GENERAL CONDITIONS

(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. A noncompliance shall be (a) violation(s) of state regulation 401 KAR 50:035, Permits, Section 7(3)(d) and Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) and is grounds for enforcement action including but not limited to the termination, revocation and reissuance, or revision of this permit.

2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition.

3. This permit may be revised, revoked, reopened and reissued, or terminated for cause. The permit will be reopened for cause and revised accordingly under the following circumstances:
   a) If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to Regulation 401 KAR 50:035, Section 12(2)(c);
   b) The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.;
   c) The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;

   Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish to the Division, in writing, information that the Division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit.

5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority. The permittee shall also provide additional information as necessary to address any requirement that becomes applicable to the source after the date a complete permit application was submitted but prior to the release of the draft permit.

SECTION G - GENERAL CONDITIONS (CONTINUED)

6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit.

7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance.

8. Except as identified as state-origin requirements in this permit, all terms and conditions contained herein shall be enforceable by the United States Environmental Protection Agency and citizens of the United States.

9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6).

10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance.

11. This permit shall not convey property rights or exclusive privileges.

12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.

13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry.

14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders.

15 Permit Shield: Except as provided in State Regulation 401 KAR 50:035, Permits, compliance by the affected facilities listed herein with the conditions of this permit shall be deemed to be compliance with all applicable requirements identified in this permit as of the date of issuance of this permit.

(b) Permit Expiration and Reapplication Requirements

1. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield. shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division.

2 Permit V-98-004(Revision 2) issued on July 27, 1999, is hereby null and void.

SECTION G - GENERAL CONDITIONS (CONTINUED)

c) Permit Revisions

1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of Regulation 401 KAR 50:035, Section 15.

2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority thirty (30) days in advance of the transfer.

(d) Acid Rain Program Requirements

1. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(e) Emergency Provisions

1. An emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
   i) An emergency occurred and the permittee can identify the cause of the emergency;
   ii) The permitted facility was at the time being properly operated;
   iii) During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
   iv) The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two working days after the time when emission limitations were exceeded due to the emergency. The notice shall meet the requirements of 401 KAR 50:035, Permits, Section 7(1)(e), and include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.This requirement does not relieve the source of any other local, state or federal notification requirements.

2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement.

3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof.

SECTION G - GENERAL CONDITIONS (CONTINUED)

(f) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall:

    a. Submit a Risk Management Plan to U.S.EPA, Region IV with a copy to this Division and comply with the Risk Management Program by June 21, 1999 or a later date specified by the U.S.EPA.

    b. Submit additional relevant information if requested by the Division or the U.S. EPA.

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:

    a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.

    b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.

    c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.

    d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.

    e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.

    f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

SECTION H - ALTERNATE OPERATING SCENARIOS

None

SECTION I - COMPLIANCE SCHEDULE

None